

FILED

MAY 01 2003


CLERK

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

ALICE TORRES,

Plaintiff,

vs.

BEVERLY ENTERPRISES, INC.,
TRAVELERS INSURANCE COMPANY;
INSURANCE COMPANY OF THE STATE
OF PENNSYLVANIA; and
CONSTITUTION STATE SERVICES,
formerly known as CONSTITUTION
STATE SERVICE COMPANY,

Defendants.

CIV. 01-5056

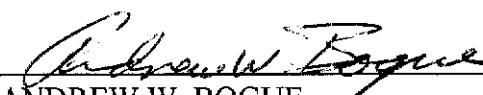
ORDER

On April 15, 2003, the Court ordered the Plaintiff to submit expenses related to her Third Motion to Compel Discovery. In response, the Plaintiff produced, and the Court has carefully reviewed, an affidavit and detailed report of the time and effort spent pursuing the motion. The Court has taken into consideration the fact that the Court ruled against the Plaintiff on several of the disputed issues and the fact that the Plaintiff ultimately withdrew a few other requests for the production of documents. However, the dilatory conduct of the Defendant warrants the award of a substantial sum to the Plaintiff. Accordingly, it is hereby

ORDERED that Defendant, Constitution State Services, shall pay the Plaintiff, Alice Torres, \$2500 on or before June 1, 2003.

Dated this 1st day of May, 2003.

BY THE COURT:


ANDREW W. BOGUE
SENIOR DISTRICT JUDGE